

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

I declare the application of inventor(s):

**ARDIZZONE et al.**

Serial Number: 10/674,687

Examiner: Not Yet Assigned

Filed: 09/30/2003

Art Unit: Not Yet Assigned

Confirmation No.: Not Yet Assigned

For: **MAGNETOTHERAPEUTIC DEVICE WITH BIO-CERAMIC FIBERS**

MAIL STOP NON-FEE AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**STATEMENT OF STATUS AS SMALL ENTITY**  
**(37 C.F.R. § 1.27(a)(2))**  
**SMALL BUSINESS CONCERN**

I hereby state that I am

☒ the owner of the small business concern identified below:

☐ an official of the small business concern empowered to act on behalf of the concern

identified below:

NAME OF SMALL BUSINESS CONCERN: Nu-Magnetics, Inc.

ADDRESS OF SMALL BUSINESS CONCERN: 9 Stuarts Court  
Port Jefferson, New York 11777

I hereby state that the above-identified small business concern qualifies as a small business concern, as defined in 13 C.F.R. § 121 , and in 37 C.F.R. § 1.27(a)(2), for purposes of paying

reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to, and remain with, the small business concern identified above, with regard to the invention described in

- ☐ the specification filed herewith, with title as listed above.
- ☒ the application identified above.
- ☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as a person under 37 C.F.R. § 1.27(a)(1), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.27(a)(2), or a nonprofit organization under 37 C.F.R. § 1.27(a)(3).

\*NOTE: Separate statements are required from each named person, concern or organization having rights to the invention as to their status as small entities. (37 C.F.R. § 1.27)

Each such person, concern or organization having any rights in the invention is listed below:

- ☒ No such person, concern, or organization exists.
- ☐ Each such person, concern or organization is listed below. \*

\*NOTE: Separate statements should be obtained from each named person, concern or organization having rights to the invention as to their status as small entities.

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL      ☐ SMALL BUSINESS CONCERN      ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.27(g)(2))

NOTE: "The presentation to the Office (whether by signing, filing, submitting, or later advocating) of any paper by a party, whether a practitioner or non-practitioner, constitutes a certification under § 10.18(b) of this chapter. Violations of § 10.18(b)(2) of this chapter by a party, whether a practitioner or non-practitioner, may result in the imposition of sanctions under § 10.18(c) of this chapter. Any practitioner violating § 10.18(b) may also be subject to disciplinary action. See §§ 10.18(d) and 10.23(c)(15)." 37 C.F.R. § 1.4(d)(2).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by

fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: ANTHONY BOVE  
President, Nu-Magnetics, Inc.

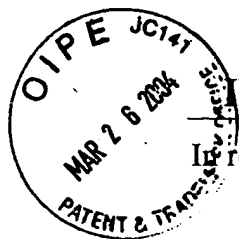
TITLE OF PERSON SIGNING  
IF OTHER THAN OWNER:

ADDRESS OF PERSON  
SIGNING: 9 Stuarts Court  
Port Jefferson, New York 11777

January 30, 2004

  
SIGNATURE

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## **STATEMENT OF STATUS AS SMALL ENTITY (37 C.F.R. § 1.27(a)(1)) INDEPENDENT INVENTOR**

As a below named inventor, I hereby state that I qualify as an independent inventor, as defined in 37 C.F.R. § 1.27(a)(1), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office, with regard to the invention described in

☐ the specification filed herewith, with title as listed above.

☒ the application identified above.

☐ the patent identified above.

I have not assigned, granted, conveyed or licensed, and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as a person under 37 C.F.R. § 1.27(a)(1), if that person had made the

invention, or to any concern that would not qualify as a small business concern under 37 C.F.R. § 1.27(a)(2) , or a nonprofit organization under 37 C.F.R. § 1.27(a)(3) .

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ No such person, concern, or organization exists.
- ☒ Each such person, concern or organization is listed below. \*

\*NOTE: Separate statements should be obtained from each named person, concern or organization having rights to the invention as to their status as small entities.

FULL NAME Nu-Magnetics, Inc.

ADDRESS 9 Stuarts Court, Port Jefferson, New York 11777

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

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fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Inventor: Vincent Ardizzone

Date: January 30, 2004

Signature of Inventor: Vincent Ardizzone

Name of Inventor: Anthony Bove

Date: January 30, 2004

Signature of Inventor: Anthony Bove

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